

HON. KYMBERLY K. EVANSON

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON

KETTLE CUISINE, LLC,

Plaintiff,

v.

C3 ENGINEERED SOLUTIONS, LP, and
COMBI PACKAGING SYSTEMS, LLC,

Defendants.

No. 2:24-CV-01122-KKE

STIPULATION TO REMAND CASE TO
WASHINGTON STATE SUPERIOR
COURT FOR SNOHOMISH COUNTY

NOTE ON MOTION CALENDAR:
AUGUST 1, 2024

STIPULATION

Plaintiff Kettle Cuisine, LLC (“Kettle Cuisine”) and Defendants C3 Engineered
Solutions, LP (“C3”),¹ and Combi Packaging Systems, LLC (“Combi”) stipulate as follows:

1. Kettle Cuisine filed this case in Snohomish County Superior Court on June 20,
2024, and served the summons and complaint upon Combi on June 26, 2024.

2. On July 25, 2024, Combi filed a Notice of Removal of Defendants. The notice of
removal relies solely upon diversity jurisdiction to support federal jurisdiction. Combi (a limited
liability company) alleged that because its member 3M Company is a Delaware corporation,

¹ While C3 has not appeared in the case before this Court, the undersigned counsel for Kettle and Combi represent
that C3 has consented to this stipulation and the relief of remand to Washington Superior Court for Snohomish County.

1 Combi is “a citizen of the state of Delaware for jurisdictional purposes.” Combi alleged that C3
2 is a citizen of Missouri for jurisdictional purposes.

3 3. On July 30, 2024, Kettle Cuisine filed its Rule 7.1 Disclosure Statement. Pursuant
4 to Federal Rule of Civil Procedure 7.1(b), Kettle Cuisine (also an LLC) affirmed that its sole
5 member is Kettle Corp., a Delaware corporation with its principal place of business in Lynn,
6 Massachusetts. Kettle Cuisine is therefore a citizen of Delaware and Massachusetts for
7 jurisdictional purposes.
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9 4. Because both Combi and Kettle Cuisine are citizens of Delaware, this Court lacks
10 subject-matter jurisdiction under 28 U.S.C. § 1332(a)(1) because the case is not one between
11 citizens of different states, and the case is not eligible for removal under 28 U.S.C. § 1441(a).
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13 5. The parties therefore stipulate to an order remanding the case to the Washington
14 Superior Court for Snohomish County. Kettle Cuisine shall serve a copy of the stipulated order
15 to the Clerk of the Washington Superior Court for Snohomish County within 5 days of entry of
16 this Court’s order remanding the case. The parties will bear their own costs and attorneys’ fees
17 for activities before this Court.

18 Now, therefore, the undersigned parties stipulate to entry of an order remanding the
19 above-captioned case to the Washington Superior Court for Snohomish County.
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ORDER

Pursuant to the parties' stipulation, it is so ordered. The case is remanded to the Washington Superior Court for Snohomish County. The Clerk of this Court is directed to close the case.

ENTERED THIS 2nd DAY OF AUGUST, 2024.



Kymberly K. Evanson
United States District Judge

STIPULATED AND PRESENTED this 1st day of August, 2024, by:

K&L GATES LLP

FORSBERG & UMLAUF, P.S.

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Attorneys for Plaintiff Kettle Cuisine, LLC

Attorneys for Defendant Combi Packaging Systems, LLC

CERTIFICATE OF SERVICE

I declare under penalty of perjury that on August 1, 2024, I caused the foregoing document to be served via CM/ECF, which will send notice to all parties and counsel of record, and via email to:

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DATED August 1, 2024, at Seattle, Washington.

/s/ Peter A. Talevich
Peter A. Talevich, WSBA# 42644